He has full twelve months ending with the agricultural year so that he can find his occupation elsewhere. So far as the pannaiyals are concerned, I have no hesitation in saying that this law has done well by them. As regards the tenants, it is a thing yet to be seen how co-operation will proceed. If my hopes are fulfilled there would be co-operation. Let me tell my Communist Friends, 'By all means do not wind up your agitation but I would request you not immediately to open the bag. Allow the Bill to have full play.' It is easy to create trouble. There is no difficulty. One man can create trouble among fifty or a hundred people. It is difficult to put down trouble because in the process of putting down trouble much other trouble arises. So, nobody wants to put down trouble by force. I hope that all Members will join and follow the lead of the Leader of the Opposition who is leading the United Democratic Front and I also hope that with the Leader, the rest also will say 'God-speed' to the Bill. Sir, this is all that I wish to say and I hope the House will accept the Bill unhesitatingly and without any mental demur."

MR. SPEAKER :—" The question is—

'That the Tanjore Tenants and Pannaiyal Protection Bill, 1952, be passed into law.' "

The motion was carried *nem. con.* and the Bill was passed into law.

(2) THE INDIAN REGISTRATION (MADRAS AMENDMENT) BILL, 1952.

* THE HON. SRI K. VENKATASWAMI NAIDU :—" Mr. Speaker, Sir, I beg to introduce the Indian Registration (Madras Amendment) Bill, 1952, and move—

'*That the Bill be taken into consideration at once.*'

" It is a very simple matter. There were disputes between the French and British Governments as to which of them possessed sovereign jurisdiction over the loges at Kozhikode and Masulipatnam. The British Government had asserted their sovereign jurisdiction over the loges in unmistakable terms. But documents relating to the properties in the loges have in some cases been registered in French registration offices as the parties concerned were under the mistaken impression that the French authorities had jurisdiction over the loges. As the loges have been specifically included in the territory of India by a Statutory Order of the Government of India (S.O. No. 6, dated the 23rd March 1948), it is considered desirable to permit these documents to be re-registered under the Indian Registration Act, 1908 (XVI of 1908), free of all charges, so that they may be admitted in evidence in Indian courts. Sub-section (1) of new section 23-B inserted by the Bill makes provision accordingly; and sub-section (2) provides for the application of sub-section (1) to other French Indian areas adjoining Madras territory, in respect of which similar difficulties may be experienced in future."

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MR. SPEAKER :—" The motion is—

' That the Indian Registration (Madras Amendment) Bill, 1952, be taken into consideration at once.' "

SRI C. V. K. RAO :—" Mr. Speaker, Sir, I would like to have certain clarifications on this Bill. Why were these documents registered in French registration offices as the loges were specifically included in the territory of India by a Statutory Order of the Government of India in 1948 and why is it that the Government have not taken steps to get those documents registered in India? I also wish to know whether the French authorities have violated international law by getting such documents which ought to be registered in Indian territory, registered in French registration offices and what steps the Government of India have taken in this respect? I want a clarification on these points from the Hon. Minister who has introduced this Bill, Sir."

* THE HON. SRI K. VENKATASWAMI NAIDU :—" Sir, it was a genuine mistake because these patches of land were in the midst of French territory and the documents were registered by mistake in French registration offices. It would put the people concerned into great difficulty unless these documents are re-registered in Indian territory and that is the reason for bringing forward this Bill. We have also taken the permission of the Government of India for introducing this Bill."

MR. SPEAKER :—" The question is—

' That the Indian Registration (Madras Amendment) Bill, 1952, be taken into consideration at once.' "

The motion was carried.

MR. SPEAKER :—" We shall now take up the consideration of the Bill clause by clause."

Clause 2.

* SRI K. R. VISWANATHAN :—" Sir, I beg to move—

' *That in clause 2, sub-clause* (1) (*c*) *omit the sentence " and if any document is so registered, the registration shall have effect for all purposes from the date on which the document was originally registered by the official referred to in clause* (*b*) ".'

This Bill proposes that documents relating to properties situated in areas which have been set out in the Schedule to the Madras (Enlargement of Areas and Alteration of Boundaries) Order, 1948, which are compulsorily registrable under the Indian Registration Act but have been registered in French registration offices be re-registered free of all charges, within such time and subject to such restrictions and conditions as may be specified in the notification; and if any document is so registered, the registration shall have effect for all purposes from the date on which the document was originally registered in a French registration office. By this

particular sentence the Government propose to give retrospective effect to the registration of such documents effected in Indian territory. I do not know what is going to be achieved by this provision. In fact, it is meaningless."

MR. SPEAKER :—" If it is meaningless, why should the hon. Member insist on pressing his amendment? "

* SRI K. R. VISWANATHAN :—" Sir, as it is quite meaningless I want this sentence to be deleted from the Bill. A document is the evidence of a contract or a settlement arrived at between two or more parties. It is probable that the parties may break the contract or the terms of the settlement; or the document itself is liable to be lost. In order to prevent a breach of contract and, in cases of loss of the documents, to protect the interests of both the parties concerned, the Indian Registration Act came to the rescue of the people. By registering a document the Government recognize the validity of the terms of a contract enumerated in the document itself. The Government also recognize the contract between the parties and also give publicity to the contract. By registering a document, it becomes admissible in a Court of Law as evidence from the date of execution. This amending Bill has been brought forward to make admissible in evidence in Courts of Law in India by re-registering in Indian territory documents relating to property situated in the loges at Kozhikode and Masulipatnam and such other areas as are in French territory, which were originally registered in French registration offices. Mere registration in Indian territory makes the documents admissible in evidence in Courts of Law in India. Therefore, there is no necessity to give retrospective effect to the registration of these documents from the dates on which they were registered in registration offices in French India. This is my object in moving this amendment."

SRI K. VINAYAKAM :—" Mr. Speaker, Sir, I am seconding the amendment moved by the hon. Member, Sri K. R. Viswanathan, having full faith in his arguments, as the hon. Mover of the amendment is talking from his personal knowledge as he also happened to be a Sub-Registrar once."

MR. SPEAKER :—" Amendment moved—

' That in clause 2, sub-clause (1) (c) *omit* the sentence " and if any document is so registered, the registration shall have effect for all purposes from the date on which the document was originally registered by the official referred to in clause (b) ".' "

* THE HON. SRI K. VENKATASWAMI NAIDU :—" Mr. Speaker, Sir, the amendment really goes to the very root of this Bill. If the amendment is accepted the object of the legislation will be lost. Some people under a mistaken impression have registered documents in French registration offices. This, they should not have done. If those documents are now re-registered under the Indian Registration Act, the registration shall have effect for all purposes from the date on which the documents were originally 5-50 p.m.

registered. This legislation has been brought only for this porpose and I hope the hon. Member who moved the amendment will appreciate the purpose of this legislation. I request him to withdraw the amendment. The main idea of the legislation is to give retrospective effect so that the registration of documents under the Indian Registration Act shall have effect for all purposes from the dates on which they were originally registered in the loges at Kozhikode and Masulipatnam and in certain other areas in French India."

* SRI K. R. VISWANATHAN :—" Mr. Speaker, Sir, once a document is executed, some conditions are imposed for registering the document. It has got to bear some stamps. It has got to be presented at the Registration Office within a particular period. The registration makes the document valid for purposes of evidence from the date of the execution of the document. Irrespective of the date of registration, it is admissible in a Court of Law as evidence. The fact that a document is registered in the Indian territory under the Indian Registration Act is enough to make it admissible as evidence in a Court of Law in India. It is not necessary to give retrospective effect to the date of registration in French India . . ."

MR. SPEAKER :—" The legislation is only intended to make it doubly sure that retrospective effect is given from the date of registration in French India."

* SRI K. R. VISWANATHAN :—" Sir, let me make my point clear. The properties are situated in a disputed area. Till now the documents have been registered only in French India. They have now to be registered in the Indian Union territory, under the Indian Registration Act. It is enough if the documents are registered in the Registration offices in India and it is not necessary that the date of registration should be taken back to the date of registration in French India."

SRI K. RAJARAM :—" Let the hon. Member explain whether there is any harm in having that sentence."

SRI K. R. VISWANATHAN :—" I consider it unnecessary."

MR. SPEAKER :—" If the hon. Mover of the amendment presses his amendment, I will put it to the vote of the House."

* SRI P. RAMAMURTHI :—" Mr. Speaker, Sir, on this question there is no political opposition. We would like to know what exactly is the difficulty of the hon. Member who moved the amendment. It is not clear whether this clause providing retrospective effect cures any defect in the originally registered document. As far as I am able to understand the Bill, that is the only point requiring clarification."

MR. SPEAKER :—" I wish to know from the hon. Mover of the amendment whether he is withdrawing his amendment."

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SRI K. R. VISWANATHAN :—" I am not withdrawing it."

MR. SPEAKER :—" The question is—

' In clause 2, sub-clause (1) (*c*), the sentence " and if any document is so registered, the registration shall have effect for all purposes from the date on which the document was originally registered by the official referred to in clause (*b*) " be omitted '."

The amendment was lost.

Clause 2 was put and carried.

Clause 1 and the Preamble were put and carried.

* THE HON. SRI K. VENKATASWAMI NAIDU :—" I beg to move—

' *That the Indian Registration (Madras Amendment) Bill, 1952, be passed into law.*' "

MR. SPEAKER :—" Motion moved—

' That the Indian Registration (Madras Amendment) Bill, 1952, be passed into law.' "

SRI K. VINAYAKAM :—" Mr. Speaker, Sir, I do not claim any expert knowledge on this matter. In view of the amendment moved by the hon. Member Sri K. R. Viswanathan having been defeated, I expect the Hon. Minister to explain why there is absolutely no necessity for such an amendment."

* THE HON. SRI K. VENKATASWAMI NAIDU :—" It has been found, in actual practice, that a lot of hardship is being caused to people who have registered their documents in the French Registration offices. The Legal Department has brought to the notice of the Government that this legislation is absolutely essential. If this Bill is not given retrospective effect, it will cause great hardship to the parties concerned, and the Bill will serve no purpose."

MR. SPEAKER :—" The question is—

' That the Indian Registration (Madras Amendment) Bill, 1952, be passed into law.' "

The motion was carried and the Bill was passed into law.

MR. SPEAKER :—" The House will be meeting at 2 p.m. tomorrow instead of at 10-30 a.m. as stated in the Agenda. I now adjourn the House till 2 p.m. tomorrow."

The House then adjourned.